UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE

STEVE B. SMITH, et al., Plaintiffs,)	
v.)	No. 3:03-CV-593 (Phillips)
JEFFERSON COUNTY BOARD OF SCHOOL)	(i iiiiips)
COMMISSIONERS, et al.,)	
Defendants.)	

ORDER

Plaintiffs have previously moved for an extension of time to reply to the motion for summary judgment in this case. In support of their motion, plaintiffs state that additional discovery is needed before they can respond to certain of defendants' arguments.

Rule 56(f), Federal Rules of Civil Procedure, provides that in the event that a party cannot present facts essential to justify the party's opposition, the court may refuse the application for judgment. Accordingly, plaintiffs' motion for partial summary judgment [Doc. 19] is **DENIED** at this time, with leave to refile after the parties complete the necessary discovery.

IT IS SO ORDERED.

ENTER:

s/ Thomas W. Phillips
United States District Judge